

ORDINANCE NO. 2409

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, DETERMINING THAT A PUBLIC NECESSITY EXISTS FOR THE ACQUISITION OF RIGHT-OF-WAY FOR THE CONSTRUCTION, WIDENING AND IMPROVEMENT OF TOWN EAST BLVD. BETWEEN N. GALLOWAY AND EAST CITY LIMITS, IN THE CITY OF MESQUITE, TEXAS AS DESCRIBED HEREIN; AUTHORIZING THE ATTORNEY FOR THE CITY TO INSTITUTE CONDEMNATION PROCEEDINGS; PROVIDING A SEVERABILITY CLAUSE AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City Council of the City of Mesquite, Texas, has and does deem it necessary and expedient and has determined that a public necessity exists for the acquisition of the right-of-way for the construction, widening and improvement of Town East Blvd. together with location and relocation of utilities and all lawful purposes incident thereto between N. Galloway and east City limits in the City of Mesquite and more particularly described in Exhibit "A" attached hereto, the owners of those claiming an interest to said land being:

<u>PARCEL</u>	<u>OWNER</u>
Parcel #4	Tom Adamek
Parcel #5	Charles R. Smith
Parcel #6	Thomas C. Black
Parcel #7	Thomas C. Black

SECTION 2. That the City Manager is hereby authorized to make a final offer for the acquisition of said property as follows:

- \$4,006 to Tom Adamek for Parcel #4
- \$5,980 to Charles Smith for Parcel #5
- \$12,910 to Thomas C. Black for Parcel #6 and Parcel #7


Such offers shall be made by certified mail.

SECTION 3. If no response is made to the City Manager's final offer within ten (10) days, the Attorney for the City is hereby authorized to institute Eminent Domain proceedings to condemn said property for said use according to law and to obtain fee simple title right-of-way and/or drainage easements to and upon said property for the purposes expressed herein.

SECTION 4. Should any portion of the property described in Exhibit "A", attached hereto, not be subject to legal condemnation by the City of Mesquite, such fact shall not prevent the City from condemning such land which is described in Exhibit "A" and is subject to legal condemnation by the City, and it is the intention of the City of Mesquite to condemn only such territory as may be legally condemned by it within the limits of the land described in Exhibit "A".

SECTION 5. The fact that it is necessary that the property described in Exhibit "A" be acquired for the widening and improvement of Town East Blvd. in order to permit its proper development and to protect the public interest and general welfare of the City of Mesquite, creates an urgency and an emergency for the preservation of the public interest and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication as the law in such cases provides.

DULY PASSED by the City Council of the City of Mesquite, Texas, on the 16th day of March, A.D., 1987.


 Mrs. Brunhilde Nystrom
 Mayor

ATTEST:

APPROVED AS TO FORM:


 Lynn Prugel
 City Secretary



 Elizabeth A. Lunday
 Assistant City Attorney

EXHIBIT "A"

00047

Abst. 1400

Young/Clark JV

Abdullah & Hana Adum

Carol L Tompkins & Marjorie L Nutwind

Berean Baptist Church

Travis & Anita Presley

J T & Anita Presley

Monty C Henson & A.R & Dorothy Henson

Berean Baptist Church 4H95

R L Chaney, Inc

Calvin H Nico, et ux

O'HARE

91x A
111
EGS Partners

91x A
111

Our Savior
Lutheran Church
of Mesquite

SM 1
T 2
Tom Adamek

SM 1
T 1 C
Charles R Smith

SM 1
T 3
Thomas C Black

SM 1
T 1
Thomas C. Black

Dzung A Pham

91x 20
111

RED WOLF

91x 20
111

William C Barney

91x 20
111

Da Forrest H Judd

91x 20
111

SUGARBERRY

91x 20
111

John Borja

Northeast Commercial

No. 2

Ass 157

Medford No. 3

10'

RD.

BELT LINE

TOWN EAST BLVD.
FROM GALLOWAY TO BELT LINE

00048